

Application No. 09/651,754
Attorney Docket No. 20-0139

REMARKS

The present application includes claims 1-22. Claims 1-22 were rejected. By this Amendment, claims 1, 14, and 19 have been amended.

Claims 1-22 were rejected under 35 U.S.C. §102(e) as being anticipated by Phillips, U.S. Patent No. 6,072,994. Phillips teaches a digitally programmable multi-function radio system. More specifically, the Examiner directs the Applicant's attention to Figure 3 of Phillips. Figure 3 illustrates a single receive module 106 and a single transmit module 204. As the Examiner stated in the most recent office action, at page 2, a transceiver must both transmit and receive. Consequently, the Examiner may be combining the single receive module 106 and single transmit module 204 of Figure 3 to form one single transceiver. However, only one, single transceiver may be thus formed. Thus, Figure 3, to the extent that it may illustrate a transceiver at all, illustrates only one single transceiver, and not a plurality of transceivers.

Conversely, the present application includes independent claims 1, 14, and 19. Each of the independent claims of the present application recites a plurality of transceivers, and not merely a single transceiver. Consequently, the Applicant respectfully submits that Phillips does not teach all the limitations of the independent claims 1, 14, and 19, and consequently, independent claims 1, 14, and 19, and their respective dependent claims, are respectfully submitted to be allowable.

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However, in order to further clarify the differences between Phillips and the present invention, the Applicant has added the limitation to each of the independent claims that the plurality of transceivers be simultaneously operable. Even if Figure 3 of Phillips could be construed to illustrate a single transceiver, as discussed above, no plurality of transceivers are present. Further, because no plurality of transceivers is taught, no plurality of simultaneously operable transceivers is taught.

Phillips does teach that a number of backup transmitters and receivers may be available for use when the primary transmitter or receiver no longer functions. (Fig. 3; Col. 28, Lines 14-35). However, the backup transmitter or receivers would be switched to by the RF switch module 306. As discussed at col. 28, Lines 14-35 of Phillips, the RF switch module is a single pole multi-throw switch. In a single pole multi-throw switch, only one output switch path may be active at any one time. Consequently, only one receiver and only one transmitter may be active at any one time and any other redundant transmitters and/or receivers are present merely as backup. That is, the backup transmitters and/or receivers, if any, can not be simultaneously communicating at the same time as the primary transmitters and/or receivers.

By contrast, the present invention provides a plurality of simultaneously operable transceivers. As shown in Figure 4 of the present invention, each transceiver 420, 422, 424, 426 may simultaneously transmit or receive signals to and from a plurality of antenna preconditioners 410, 412, 414, 416, thus creating simultaneous communications channels. This simultaneous operation is made possible the Antenna Interface

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Switch/Transmitter 418 which comprises a dynamically reconfigurable N x N crossover switch matrix. This crossover switch matrix allows for true simultaneous communication channels, not merely time shared communication channels. As shown, no such simultaneous operability is taught by Phillips, which provides, instead, a single pole multi-throw switch.

Thus, independent claims 1, 14, and 19 have been amended to include the limitation of a plurality of simultaneously operating transceivers. This limitation is not taught by Phillips because Phillips teaches only a single transceiver. Also, even if Phillips could be construed as teaching multiple transceivers, Phillips teaches that only one, single transceiver may be operating at any one time. Consequently, the Applicant respectfully submits that Phillips does not teach all the limitations of the independent claims 1, 14, and 19, and consequently, independent claims 1, 14, and 19, and their respective dependent claims, are respectfully submitted to be allowable.

FROM McANDREWS, HELD, & MALLOY

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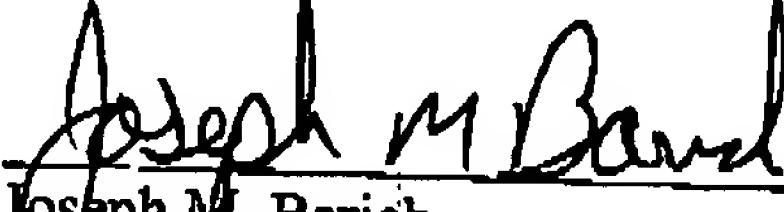
CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: August 25, 2003


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